

BROOKLYN OFFICE

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: Case No. CV 96-4849 (ERK)(MDG)
:
: (Consolidated with CV 96-5161
:
: and CV 97-461)

MEMORANDUM & ORDER

MEMORANDUM & ORDER APPROVING INSURANCE SET 6: 7 AWARDS, 5 AWARD AMENDMENTS; 1 AWARD UPON REQUEST FOR RECONSIDERATION; 1 AWARD RESCISSION; 14 NO MATCH DECISIONS; AND 2 CLOSING LETTERS CERTIFIED BY THE CLAIMS RESOLUTION TRIBUNAL AND AUTHORIZING PAYMENT FROM THE SETTLEMENT FUND

KORMAN, J.:

As provided under the Settlement Agreement, and in accordance with Amendment No. 2 to the Settlement Agreement, the Claims Process Guidelines, and my subsequent orders, including my orders dated 27 October 2006, 15 January 2008, 25 April 2008, and 16 May 2009, the Claims Resolution Tribunal (the “CRT”) is hereby requesting the Court’s approval of the sixth set of Insurance decisions, consisting of 7 Awards, 5 Award Amendments, and 1 Award upon Request for Reconsideration totaling US \$171,534.86; 1 Rescission of a previously approved but unpaid Award in the amount of US \$10,784.38; 14 No Match Decisions; and 2 Closing Letters, and the resources to make these payments through funds to be deposited in the Swiss Banks Settlement-Dormant Accounts-Payment Account from the Settlement Fund. The total amount requested is US \$160,750.48 (equal to the awarded amounts minus the amount rescinded).

One payment recommendation in this set is based upon a claim filed directly with the CRT to a name on the List of Names of Holocaust-Era Insurance Policyholders published in 2005 (the “2005

List”). This policy was previously awarded to another claimant, who subsequently informed the CRT that, based upon his examination of the records, the policyholder was not his relative. The CRT subsequently identified the policyholder’s granddaughter, and the Award in this set now awards the policy to her. The Award to the previous claimant is rescinded in the Award Rescission included in this set. A further six payment recommendations, relating to three claims submitted to the International Commission on Holocaust Era Insurance Claims (“ICHEIC”) and two CRT claims, are based on last-name only matches to policy guarantees issued by *Union Re*, a former affiliate of *Swiss Re*. Another payment recommendation, relating to a CRT claim, is based on a match to two *Swiss Life* policies. Three Awards, relating to ICHEIC claims, are for policies held at *La Nationale Vie* (Paris), which is listed in Exhibit 1 of Amendment No. 2 to the Settlement Agreement as a *Swiss Life* affiliate. One Award Amendment increases the amount of a previous Award, based on further examination by the CRT of the policy documents provided by *Swiss Re*.

This set also includes an Award based upon a Request for Reconsideration. On 25 April 2008, I approved the CRT’s recommendation to deny a claim to the policy of Miklos Radvany, whose name and city of residence were published on the 2005 List. The denial decision was based on a discrepancy between the surname of the claimed policyholder and the surname of the actual policyholder. The claimant in that case subsequently submitted relevant new evidence to the CRT, showing that his relative did, in fact, share the same surname as the policyholder. Based upon its review of this evidence, and upon further research carried out by the CRT demonstrating that the claimed policyholder used two different surnames, the CRT recommends approval of this payment.

Finally, the CRT requests approval of 14 No Match Decisions and 2 Closing Letters. The No Match Decisions inform claimants that no policies were located belonging to their relatives. The Closing Letters relate to claims filed by CRT claimants who indicated policyholder countries of purchase and/or residence where the Participating Insurance Carriers (the “PICs”) were not active.

In light of all the foregoing, and in view of the provisions of Amendment No. 2 to the Settlement Agreement, the Claims Process Guidelines and the practice and precedents developed in previous insurance award sets and in the Deposited Assets context, it is hereby

ORDERED that payment in the amount of US \$171,534.86 be made to the Claimants identified to the Court by the CRT;

ORDERED that for this payment, the Signatories of the Settlement Fund are hereby directed to transfer immediately US \$160,750.48 from the Settlement Fund to the Swiss Banks Settlement-Dormant Accounts-Payment Account; and

ORDERED that the referenced Decisions are hereby approved for release to the relevant Claimants.

It is further ordered that the CRT shall provide the Court with the names and addresses of the class members who are receiving Decisions, which information shall be filed with the Court under seal.

Dated: Brooklyn, New York
April 29, 2011

SO ORDERED:

s/Edward R. Korman

Edward R. Korman
United States District Judge

INSURANCE CLAIMS BATCH 6 - ANNEX B

Pursuant to the Insurance Guideline, the Claims Resolution Tribunal hereby certifies as of 29 April 2011 the following Award upon Request for Reconsideration for approval by the Court and payment by the Special Masters:

	Policyholder Name	Claim Number	Claim Type	Claimant Name	Original Decision Type	Award Amount (US \$)
1.	Radvany	2071	CRT	Nemes	Identification Denial	14,100.00
TOTAL						\$14,100.00

CLAIMS RESOLUTION TRIBUNAL

INSURANCE CLAIMS BATCH 6 - ANNEX C

Pursuant to the Insurance Guideline, the Claims Resolution Tribunal hereby certifies as of 29 April 2011 the following Award Rescission for approval by the Court:

	Policyholder Name	Claim Number	Claim Type	Claimant Name	Amount Rescinded (US \$)
1.	Kohn	2048	ICHEIC	Bassin	\$10,784.38

CLAIMS RESOLUTION TRIBUNAL

INSURANCE CLAIMS BATCH 6 - ANNEX D

Pursuant to the Insurance Guideline, the Claims Resolution Tribunal hereby certifies as of 29 April 2011 the following No Match Decisions for approval by the Court:

	Claimant Name	Claim Number	Claim Type
1.	Brod	2079	CRT*
2.	Diamant	557	CRT
3.	Eigner	1542	CRT
4.	Fisch	339	CRT
5.	Fogelson	1712	ICHEIC
6.	Galamba	407	CRT
7.	Gries-Honig	2078	CRT*
8.	Lowinger	1521	CRT
9.	Neiss	2081	CRT*
10.	Ruf	2024	ICHEIC
11.	Stern	2084	CRT*
12.	Sudwarts	2091	CRT*
13.	Sufaru	1809	ICHEIC
14.	Vickers	2086 - 2089	CRT*

* Late claim

CLAIMS RESOLUTION TRIBUNAL

INSURANCE CLAIMS BATCH 6 - ANNEX E

Pursuant to the Insurance Guideline, the Claims Resolution Tribunal hereby certifies as of 29 April 2011 the following Closing Letters for approval by the Court:

	Claimant Name	Claim Number	Policyholder Country	Claim Type
1.	Cordova	2072*	Bulgaria	CRT
2.	Jovic	2083*	Yugoslavia	CRT

* Late claim